

MINUTES OF THE REGULAR CITY COUNCIL MEETING
TUESDAY- -NOVEMBER 20, 2007- -7:30 P.M.

Mayor Johnson convened the Regular City Council Meeting at 7:52 p.m.

ROLL CALL - Present: Councilmembers deHaan, Gilmore, Matarrese, Tam, and Mayor Johnson - 5.

Absent: None.

AGENDA CHANGES

None.

PROCLAMATIONS, SPECIAL ORDERS OF THE DAY AND ANNOUNCEMENTS

(07-542) Presentation by the Alameda Museum regarding the Museum Business Plan.

Diane Coler-Dark, Museum President, stated earnings will not have the same growth as in the past; income has been converted into certificates to offset the rent increase; thanked Councilmember Matarrese for fundraising and corporate sponsor suggestions; stated fundraising ideas have been implemented; a progress report will be presented in March.

Robbie Dileo, Museum Board Member/Secretary, outlined the Business Plan.

Mayor Johnson inquired whether gross revenue includes the City's subsidy, to which Ms. Dileo responded in the affirmative.

Mayor Johnson inquired what percentage is the City's subsidy, to which Mr. Dileo responded 50%.

Mayor Johnson inquired whether the fundraising drive was successful.

Mr. Dileo responded very little; stated some corporate sponsors were acquired.

Mayor Johnson stated the Board works very hard to earn money for the Museum; taxpayers make a significant contribution; she is very disappointed that people do not understand the need to financially support the Museum.

Ms. Dileo stated that the Museum will have new Board Members soon;

the Business Plan is a two-year, forward looking document; the Museum has a lot of money in the bank; hopefully, dipping into reserves will not be necessary; funds were down to approximately \$2,000 in 1991 and 1992.

Mayor Johnson stated people need to understand that money is needed to run a Museum; inquired whether the Museum has any plans to become accredited, to which Ms. Dileo responded in the negative.

Vice Mayor Tam stated that she appreciates receiving the Business Plan; Page 20 outlines a series of activities to help generate additional funds; inquired which area would have the largest growth.

Ms. Dileo responded estate sales; stated estate sales are being promoted; a big money maker is the Legacy Home Tour, which also showcases Alameda.

Vice Mayor Tam stated Page 22 notes that funds have been set aside to obtain a permanent home; she has trouble understanding the line item referring to funds reserved for finding a permanent home.

Ms. Dileo stated the \$194,480 Edward Jones Endowment account cannot be touched and is strictly set aside for building.

Vice Mayor Tam inquired whether said Endowment is stipulated for a specific use.

Ms. Dileo responded the Endowment was stipulated for a specific use; stated most of the money was from the Regina Stafford Estate.

Vice Mayor Tam stated the Meyers House is open for three hours one Saturday per month; inquired whether the Meyers House is reflected in the expense report.

Ms. Dileo responded the Meyers House is reflected in the net figures on Page 41; stated the Meyers House has a separate income statement and balance sheet; income and expenses are equal to date; the Meyers House had significant damage due to a leaky roof; the interior ceiling was damaged; window sills needed to be repaired; she does not have repair costs yet.

Vice Mayor Tam inquired whether statements reflect the City's operation and maintenance costs.

Ms. Dileo responded in the negative; stated there was supposed to be a five percent tithing to the City every year, which was expected to be approximately \$60,000 to \$70,000; the assets were

devalued based on property in the Union City area.

Mayor Johnson inquired whether there is a copy of the Trust, to which the Recreation and Parks Director responded in the affirmative.

Mayor Johnson stated that the Meyers House was not intended to cost the City money; the City maintains the House; the Trust has the ability to take the House back; she is concerned that the Meyers House could be taken back and the City would not be reimbursed for maintenance costs; the matter needs to be addressed immediately; the City needs to be assured that taxpayers will be reimbursed if the Meyers House is taken back.

The Recreation and Park Director stated the Trust stipulates that a certain percentage goes to the Meyers House; the Trust has a variety of benefactors.

Mayor Johnson stated the Meyers House is maintained with taxpayers' money, but is owned by a private trust.

The Recreation and Park Director stated the Meyers House is owned by the City; the Meyers House would revert back to the Trust only if the House is not operated as a museum or for public benefit.

Mayor Johnson stated that a report is needed on how the Trust works and how much money is spent; then Council can give direction.

The City Manager stated said information will be provided.

Mayor Johnson stated the Meyers House should be a separate budget line item.

Councilmember Matarrese inquired whether there was consensus for giving direction; stated that he does not just want a report; he wants to take action on the matter; a report should be brought back to Council for discussion and disposition.

The City Manager inquired whether requested information would be outside of the budget process, to which Council responded in the affirmative.

The City Manager stated that the Meyers House history, status, and Trust structure would be provided.

Mayor Johnson stated the matter should be brought back for Council discussion, direction, and action.

Councilmember deHaan inquired whether the \$164,000 [in cash and bank accounts] is for working capital.

Ms. Dileo responded said money is for the benefit of the museum to go forward; stated the revenue stream is starting to stabilize.

Councilmember deHaan stated that the report shows a two-year future plan.

Ms. Dileo stated that writing a more forward thinking plan is difficult because three new Board Members will be appointed in January; she would like to complete projects that help the public access records better; Woody Minor kept notes dating back to the 1880's; the photographic collection consists of approximately 6,000 prints; she does not see making \$100,000 per year and not needing the City's support.

Councilmember deHaan requested an explanation of the Museum's role in taking on historic information.

Ms. Dileo stated that the Museum and Library both have historical information; the Library has collection on Microfiche; the Museum has the actual books.

Councilmember deHaan stated that the Museum took over some of the Library's assets.

Ms. Dileo stated the Museum took over a lot of things from the City; there are two newspaper collections, one from the Library and a whole set from the Oakland Tribune.

Councilmember deHaan stated that he would like to see the [Museum's] vision expanded further.

Mayor Johnson inquired when the City's subsidy started.

Ms. Dileo responded the early 1990's; stated the Museum relocated in 1990-1991; \$110,000 was paid by the Alameda Unified School District to the City to buy out the 99-year lease that was ten years old.

Mayor Johnson inquired when the Museum moved into the existing building.

Ms. Dileo responded 1991; stated City grants were used to make the building suitable for the Museum.

Mayor Johnson inquired whether more effort is being made to protect

collections.

Ms. Dileo responded items were placed on casters long ago; stated collections are on racks; plenty of effort has been put into maintenance.

Mayor Johnson inquired whether the Museum industry has standards for preserving collections.

Ms. Dileo responded she that is not an expert; stated efforts are being made with available resources.

Mayor Johnson stated on-going efforts need to be made to expand displays.

Ms. Dileo stated there would be two new displays after the first of the year.

Councilmember Gilmore thanked Ms. Dileo for presenting the Business Plan; stated a lot of work went into the Plan; she understands that the forward looking aspect is limited because there will be three new Board Members; she would like future reports to address expanding fundraising, the marketing plan, and membership plan; she would like to see more detailed steps on how expansion will be accomplished and how success will be measured; concrete steps need to be established for implementing ideas; Council was clear in stating that greater fundraising efforts and results are expected; educational services may be beneficial to the public but do not bring in money; there needs to be a balance between educational goals and fund raising goals; rent will increase; she would like to see the Museum make an effort to contribute to the delta.

Councilmember Matarrese thanked Ms. Dileo for the information; stated it is important for people to know the cost of running a Museum; the City has a role by allocating \$50,000 to support the Museum; a budgetary fundraising goal needs to be assigned; Council can measure the progress against the goal; the Board should consider assigning a target for a 2008 membership drive; future updates should provide said information; tonight's discussion helps put public spotlight on the Museum so that people are aware that the Museum is here, what the costs are, and that volunteers work very hard to keep the Museum going; he would like to see the City and Museum move together as partners.

Ms. Coler-Dark stated that membership has increased from 350 to over 450 over the last year.

Mayor Johnson stated that it is important to establish 2008

membership and fundraising goals.

Ms. Dileo stated that volunteers spend approximately 150 hours per week at the Museum; costs would escalate by approximately \$150,000 if the Museum had an Executive Director and Curator.

Mayor Johnson stated that other non-profits hire full-time or part-time Executive Directors to make money; sometimes it is necessary to spend money to make money.

Ms. Dileo stated the Museum spent \$50,000 to \$60,000 on a large Museum study with no results.

Mayor Johnson stated volunteers are needed, but money needs to be raised also.

Councilmember deHaan stated that interfacing with the schools, Library, and City is valuable; Council is eager to see the Museum succeed; he would not like to see the City lose its history; China has 2000 years of history; the Meyers House is an important segment; it is important to make the Museum sustainable for the long run; the Museum will always have a role; Council can discuss the budget and funding allocation.

CONSENT CALENDAR

Mayor Johnson announced that the Minutes [paragraph no. 07-543] and Resolution Authorizing Open Market Purchase [paragraph no. 07-549] were removed from the Consent Calendar for discussion.

Vice Mayor Tam moved approval of the remainder of the Consent Calendar.

Councilmember Gilmore seconded the motion, which carried by unanimous voice vote - 5. [Items so enacted or adopted are indicated by an asterisk preceding the paragraph number.]

(07-543) Minutes of the Special City Council Meeting, the Special Joint City Council and Housing Authority Board of Commissioners Meeting, the Special Joint City Council and Community Improvement Commission Meeting and the Regular City Council Meeting held on November 6, 2007; and Special City Council Meeting held on November 7, 2007. Approved.

Councilmember deHaan stated that Council received an Off Agenda Report noting that \$1.3 million was put into the parking structure; he would like to have said information added to the November 6, 2007 Regular City Council Meeting minutes.

Mayor Johnson stated minutes need to reflect what was said at the meeting.

Councilmember Gilmore stated that Page 17 of the November 6, 2007 Regular City Council Meeting minutes states "the matter is not an inappropriate item to discuss during Council Communications"; the double negative is confusing.

Councilmember deHaan moved approval of the minutes with the following corrections: Page 17 ..."the matter is an appropriate item"; and Page 9... "the vote would not have been 7 to 2".

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 5.

(*07-544) Ratified bills in the amount of \$2,857,184.79.

(*07-545) Recommendation to accept the Quarterly Investment Report for period ending September 30, 2007. Accepted.

(*07-546) Recommendation to accept the work of William P. Young Construction for the Ballena Bay Bridge Seismic Retrofit Project, No. P.W. 05-00-09. Accepted.

(*07-547) Recommendation to award a Contract in the amount of \$102,177, including contingencies, to Robert C. Terry, dba: Comfort Air Mechanical Systems, for the annual heating, ventilating, and air conditioning systems maintenance in various City facilities, No. P.W. 09-07-30. Accepted.

(*07-548) Resolution No. 14159, "Authorizing Applications to the Caltrans Safe Routes to School Program for Fiscal Years 2006/2007 and 2007/2008 and the Use of City Matching Funds for Construction of Pedestrian Access and Street Crossing Improvements near Franklin Elementary School and Wood Middle School and for Purchase and Installation of Radar Speed Signs." Adopted.

(07-549) Resolution No. 14160, "Authorizing Open Market Purchase from Berendo Solutions, Inc. of Los Angeles, California, Pursuant to Section 3-15 of the Alameda City Charter for Electronic Citation Software." Adopted.

Vice Mayor Tam congratulated the Police Chief on the grant; stated the staff report notes that the software would enhance the ability to capture data related to the Police Department's efforts to promote cooperative strategies to prevent racial profiling; she would like to have a better understanding of what is involved in

the data collection.

The Police Chief stated the existing software is fifteen years old and does not interface with the Records Management System; the proposed system would interface with the Records Management System and the court system throughout the State; driver's license status, warrants, etc. can be checked by swiping the license; the electronic interface would help make court processing quicker; the Police Department has collected data on traffic stops for years; the proposed software would link said information.

Vice Mayor Tam inquired whether said data exists or is something that the Police Officer enters upon a traffic citation stop.

The Police Chief responded Police Officers enter data for every stop; stated information would be tracked through the electronic citation software system.

Councilmember Gilmore stated the existing software is fifteen years old; she is troubled by the fact that there is only one vendor who makes the software that interfaces with the current system in a way that is acceptable to the Police Department; inquired whether there would be trouble with interfacing in the future if the existing software is replaced.

The Police Chief responded the proposed software would do things that the old software does not; stated the existing Records Management System and computerized dispatch system are state-of-the-art and provide interfacing; court system interfacing is new; other vendors have not been able to interface with the court system; the citation component would interface where previous systems did not; the system is cutting edge and is beyond what other vendors are providing; the system meets all criteria and has been tried by Alameda County and City of Oakland.

Councilmember Gilmore inquired whether the new system would be an add-on or replacement, to which the Police Chief responded a replacement.

Vice Mayor Tam moved adoption of the resolution.

Mayor Johnson inquired whether there would be annual costs.

The Police Chief responded upgraded maintenance costs would be included in the grant.

Mayor Johnson inquired what is the length of coverage under the current fee.

The Police Chief responded three years; maintenance costs could be offset by other grants in three years.

Councilmember deHaan inquired whether other departments have evaluated and bought into the system.

The Police Chief responded Alameda County and the City of Oakland have bought the system; the court system has signed off that the system meets their specifications and requirements.

Councilmember deHaan seconded the motion, which carried by unanimous voice vote - 5.

(*07-550) Ordinance No. 2975, "Amending the Alameda Municipal Code by Amending Chapter XIII (Building and Housing) by Repealing Article I (Uniform Codes Relating to Building, Housing and Technical Codes) in Its Entirety and Adding a New Article I (Uniform Codes Relating to Building, Housing and Technical Codes) to Adopt the 2007 California Building Code, the 2007 California Historical Building Code, the 2007 California Electrical Code, the 2007 California Plumbing Code, the 2007 California Mechanical Code, the 2007 California Energy Code, the 1997 Uniform Housing Code, and the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings, and by Amending Chapter XV (Fire Prevention) by Repealing Section 15-1 in Its Entirety and by Adding a New Section 15-1 to Adopt the 2007 California Fire Code." Finally passed.

REGULAR AGENDA ITEMS

(07-551) Recommendation to accept the improvements and release the Subdivision Bond for Tract 7170 (Marina Cove) subject to receiving a Maintenance Bond for improvements and landscaping and authorize the City Manager to execute an Amendment to the Annual Landscape Maintenance Contract in the amount of \$24,000 to maintain the parking strip within the Marina Cove development.

The Public Works Director gave a brief presentation.

Mayor Johnson inquired whether the Maintenance Assessment District amount can be adjusted to cover the actual maintenance costs.

The Public Works Director responded Council adopts a budget each year; stated the amount is adjusted by the Consumer Price Index (CPI) increase.

Councilmember Matarrese inquired whether the Clement Avenue strip includes up to the water and the backside of the shelter near the

park, to which the Public Works Director responded in the affirmative.

Councilmember Matarrese inquired whether the area includes up to where the park that terminates at the Fortman Marina.

The Public Works Director responded the area is included if the area was constructed as part of the subdivision.

Councilmember Gilmore inquired whether the budget covers staff or contractors.

The Public Works Director responded the budget includes administration cost as well as cost for any work done by staff or contractors; stated landscape maintenance has been done by contractors for years.

Mayor Johnson inquired whether future infrastructure maintenance is covered.

The Public Works Director responded sewers are not covered because money is collected from property taxes; the Maintenance Assessment District pays for street and sidewalk maintenance.

Councilmember Gilmore moved approval of the staff recommendation.

Councilmember Matarrese seconded the motion, which carried by unanimous voice vote - 5.

(07-552) Recommendation to approve re-use of the Carnegie Building as the Community Arts/Planning and Building Center, amend the Contract with Muller & Caulfield Architects to provide architectural and engineering services for design development through the construction phase of the Carnegie Restoration and Preservation Project, appropriate funds in the amount of \$481,816 to execute the Contract, and authorize the City Manager to seek debt financing.

The Building Official made a brief presentation and introduced Rosemary Muller of Muller & Caulfield Architects and Alan Dreyfus of Wiss, Janney, Elstner Associates, Inc.

Ms. Muller gave a Power Point presentation.

Councilmember Matarrese inquired whether the balcony proposed for the Museum use could be constructed on the outside of the building.

Mr. Dreyfus responded the idea was reviewed; stated it would be

very difficult; due to the location of sheer walls, the only alternative would be an exit out of the east side, which would go down to the ground.

Councilmember Matarrese inquired whether the exit would be similar to the Council Chambers exit.

Ms. Muller responded in the affirmative; stated the exit would not look too great from the street.

Mr. Dreyfus stated exterior and interior building impacts were reviewed; the interior is important, but the exterior is as well; the [balcony] proposal appeared to have the least impact on the historic fabric.

Mayor Johnson stated that she appreciates the lighting issue information; the building has a lot of windows, which she had considered when reviewing different uses.

Ms. Muller stated museums tend to find preserving artifacts more important than seeing buildings.

Mayor Johnson inquired whether the building is not the ideal type of building for a museum.

Ms. Muller responded that she is reluctantly coming to said conclusion; stated thirty years ago museums were okay with daylight; research has led to curators being more careful with artifacts; visiting exhibits will not allow paintings to be displayed if there is too much light.

Councilmember Matarrese inquired how the art exhibit area [in the proposed Community Arts/Planning and Building Center] could be justified if people are concerned about paintings.

Ms. Muller responded that she discussed the matter with artists and they were not concerned about art for sale being displayed for two to three months as long as the windows have film to keep out most of the ultraviolet light.

Mayor Johnson inquired whether oil paintings have different lighting tolerance than wood or leather.

Ms. Muller responded in the affirmative; stated the most light sensitive items are drawings on paper, watercolors and fabric, such as old costumes.

Mayor Johnson inquired whether special art exhibits require

protection of the art, to which Ms. Muller responded in the affirmative.

Councilmember Matarrese requested staff to reconcile the discrepancy between the \$2.4 million price in the staff report and the \$4.4 to \$4.7 million mentioned in the Power Point presentation.

The Planning and Building Director stated \$2.4 million is the amount in the un-funded Capital Improvement Project (CIP) budget; there are different costs now that a feasibility analysis has been completed.

Ms. Muller stated 25% is typically added to construction cost estimates to get the complete project cost.

The City Manager stated \$2.4 million was included in the CIP budget prior to the completion of the work by the architect, which provides a better estimate; the new estimate would be used to update the \$2.4 million listed in the budget document.

Mayor Johnson stated that the number is more refined.

Ms. Muller stated there are still a lot of holes to be filled since the building has not been designed; the number is high enough that it should be okay.

The Planning and Building Director summarized the staff recommendation; noted Council could direct staff to provide a financing plan prior to authorizing the contract.

Councilmember deHaan stated the project itself is a restoration project trying to retain some of the City's history in a building, which is worthwhile; inquired whether Planning currently occupies 6,000 square feet and would move into an 18,000 square foot building.

Ms. Muller responded the Carnegie building is 10,800 square feet.

Councilmember deHaan inquired whether the effort to save the building would be subsidized by Planning Department funds, to which the Planning and Building Director responded in the affirmative.

Councilmember deHaan inquired whether taking a step to save something historic would cost more than renting or building office space somewhere else.

The Planning and Building Director responded the attempt is to serve the public in a certain area; stated the larger space would

allow information from other City departments to be displayed.

Councilmember deHaan inquired whether finding other functional quarters would be cheaper to maintain and renovate, to which the Planning and Building Director responded that might not be the case and would require analysis.

Councilmember deHaan stated the real goal is to save the historical building and make it functional; there have been discussions about the City's commitment to restoration; the project could be done cheaper quartered somewhere else.

Mayor Johnson stated Planning and Building would subsidize the historic restoration and renovation since the Department would use the building.

Councilmember deHaan stated the cause is more than worthy; people just need to understand that it would be a commitment over and above in cost.

Mayor Johnson stated two birds are being killed with one stone.

Councilmember deHaan stated the former Children's library is another opportunity to centralize the City's office space; he requested that centralizing the City's operations be reviewed; he was hoping to see more of said vision and plan; inquired whether a different department could go in the [Carnegie] building, but the Planning Department was selected due to greater access to funding; inquired where money would come from to relocate a different department.

The City Manager responded funding set aside from building permits has to be used for Planning and Building services; that she could not identify other potential funding sources at the moment.

Councilmember Gilmore stated other departments have been moved into buildings owned by the City the last times there were moves; the Recreation and Parks Department was moved into a City owned building; the City is only paying maintenance and tenant improvements, which is an entirely different story than finding 8,000 to 10,000 square feet of space in the open market.

Councilmember deHaan stated Councilmember Gilmore has a valid point; currently, the City occupies Building 1 at Alameda Point rent free; the City might not have said luxury at a later point in time; he would like for the City to lessen the future burden and better utilize facilities over which the City has control, such as the former Children's library.

Alana Dill, Alameda, suggested the Carnegie space be used not just for art display, but also include classroom space.

Marilyn Schumacher, Alameda, stated Mr. Carnegie intended his buildings be used for public uses, not just libraries; urged approval of the Community Arts/Planning and Building Center.

Christopher Buckley, Alameda Architectural Preservation Society (AAPS), stated AAPS concluded that both uses would meet AAPS's suggested selection criteria of public access and historic renovation.

Mike Shepard, Frank Bette Center, thanked the Council for considering restoration of the Carnegie building; thanked staff for the community involvement process; stated that he supports the Community Arts/Planning and Building Center.

Debra Owen, Alameda, stated the two-story area should be used for sculpture; there are not many places to display sculpture.

Mayor Johnson inquired whether there could be sculpture display at the Community Arts/Planning and Building Center, to which Ms. Muller responded in the affirmative.

Mayor Johnson stated Muller & Caulfield's retrofit work on the building is beautiful and cannot be seen.

Councilmember deHaan stated the retrofit is well hidden; inquired whether the former Children's library is 4,400 square feet.

Ms. Muller responded that her firm was responsible for the connection building; she reviewed the drawing and the former Children's library is about 3,800 including the garages and lower level, which has a ceiling height of seven and a half feet.

Councilmember deHaan inquired whether the [former Children's library] building is on brick foundation, to which Ms. Muller responded in the affirmative.

Councilmember deHaan inquired how many people could fit in the space if it were used as an office, to which Ms. Muller responded around thirty.

Councilmember deHaan inquired how many people are in the Planning and Building department, to which Ms. Muller responded forty.

Councilmember deHaan stated the building would be twice the size,

but would be used for more than just office space.

Ms. Muller noted office space includes conference rooms, storage and other items that take up additional space.

Councilmember Gilmore stated Planning currently occupies about 6,000 square feet; 6,000 square feet of office space in City Hall would be available if Planning moved into the Carnegie building; inquired which department could move into the space, perhaps Public Works or Development Services; stated the goal is to try to centralize services.

The City Manager stated bringing Public Works back into City Hall was reviewed during the process; Information Technology could be moved back as well if there is enough space; Development Services is a little larger.

Councilmember deHaan questioned whether Development Services could fit in the former Children's library.

The City Manager stated having staff together increases efficiency; having Public Works move back was reviewed because the department is involved with the Permit Center.

Councilmember deHaan stated all of the possibilities should be reviewed; the City might have to be out of Building 1 at some point.

The City Manager stated a Facilities Mater Plan is on the work plan; since funding is available and the Carnegie building is not occupied, there is an opportunity to move Planning and Building into the space, restore the building, provide better customer service in the Planning and Building Department and return another department or two back to City Hall; staff does not anticipate there is enough room for Public Works, Information Technology and Development Services; staff would look for other opportunities in the future.

Mayor Johnson stated the former Children's library should be reviewed; inquired whether there is extra space in the building occupied by the Recreation and Parks Department; stated that she understands the department does not utilize the whole building.

The City Manager responded said issues would all be included in the analysis.

Councilmember deHaan stated that he is concerned about the annual maintenance of the Carnegie; said costs would be over and above

what is being incurred currently; maintaining the building will be a budget line item of a couple hundred thousand dollars per year; the question is how to relieve other burdens at Alameda Point and move forward.

Councilmember Matarrese stated that he has a couple of concerns; philosophically, he does not believe Andrew Carnegie envisioned giving the City an office building; the Carnegie should not be used as an office building; from a practical point, there are too many unanswered questions regarding the building use and consolidating City services from City Hall West without reviewing all options; he inquired about an Oak Street property at one point; there were rumors about the property being for sale; he never received an answer; looking at said property should be reviewed; the Recreation building is not fully utilized; said issues should be reviewed first; his other questions are regarding financing; the project costs are almost double what was initially anticipated; questioned whether the building would always have to be used for Planning and Building if permit revenues are used to finance the debt; questioned whether tax increment can be used to pay debt service; further stated the funding source, as well as the Master Plan, should be determined first; there is an option to complete the work regardless of use, particularly if tax increment can be used; the elevator has to be completed regardless of use; phasing would allow expensive items to be completed; the lighting information is interesting; there should be further study; the building is too important to rush to a decision at this point.

Vice Mayor Tam stated that she appreciates the presentation addressing public access and the use types that have been considered; staff and the architects exercised a fair and balanced due diligence process working with the museum; deterioration will continue the longer the building remains unoccupied and not renovated; the building is a vital historical asset that needs to be preserved; the timing and available funding is a coincidence; the project cost will not decrease; the Community Arts/Planning and Building use recommended does not preclude converting to other uses if there is funding in the future; the \$4.7 million estimate brings the building up to code and allows for other issues; the daylight issue is in concert with the City's green building efforts; that she supports the staff recommendation.

Vice Mayor Tam moved approval of the staff recommendation.

Councilmember Gilmore seconded the motion.

Under discussion, Councilmember Gilmore stated projections were made regarding public access to the building; the museum's

projected attendance is four times higher than current attendance and is significantly higher than other museums; the projection is not comparable to other similar museums even if moving into the Carnegie would cause a large spike in attendance; the Community Arts/Planning and Building Center would provide more access for more people on a more on-going basis; the museum would double its hours to 32 hours per week; the Planning and Building Department is open 48 hours per week; she seconded the motion because of daylight and attendance issues, as well as having a funding stream for renovating and maintaining the building.

Mayor Johnson stated the chart showing the Petaluma and Hayward museum visitors is consistent with the number of Alameda museum visitors.

Councilmember Gilmore stated the Alameda Museum attendance might double or triple, but a four to four and half percent increase is very optimistic.

Mayor Johnson stated a lot more foot traffic would come in to see the artwork in the Community Arts/Planning and Building Center.

Councilmember Gilmore stated the Alameda Museum would not be precluded from having exhibits in the space from time to time.

Mayor Johnson stated the exposure in the Carnegie building might encourage people to visit the museum.

Councilmember deHaan stated that he is concerned about the cost and revenue stream; after going forward with \$1/2 million to start the process tonight, the situation could be that the revenue stream might not fully develop; that he would like to see more foresight; he does not feel comfortable approving spending \$1/2 million tonight; the action is premature; he needs more information although he supports the idea; maintenance would be a budget issue; everything must be put in proper context.

Vice Mayor Tam stated the \$481,000 would firm up the total project cost and availability of funding would be evaluated.

Councilmember Matarrese stated the Planning and Building Director indicated that Council could direct staff to come back with the project financing possibilities, which is an important thing; the City is in a tight budget situation; the funding should be reviewed prior to spending \$1/2 million on a project that the City might not be able to finance at this point in time; the building was seismically retrofitted; the Council only has partial bits of information to make a decision to spend \$1/2 million and start

going down a road that might not be able to be finished; what the building could be, other than a Community Arts/Planning and Building Center, has not been fully explored; people visiting the Planning and Building Department is not the same as people visiting a museum or art center; Planning and Building Department customers are there to do business; he wants to know whether the project can be financed and what it will take to finance the project before voting on anything.

Councilmember Gilmore stated that the money for the architectural contract is for changes that have to be made to the building regardless of who occupies the building; construction costs are not getting any cheaper; once the drawings are underway and there is a better idea of the number [project cost], the City is going to determine how to finance the project.

Councilmember Matarrese inquired whether spending the \$481,000 is use neutral and whether it does not matter whether or not the building would be a Cultural Arts Center/Museum or a Community Arts/Planning and Building Center.

The Planning and Building Director responded the same work goes into the construction plans; stated furnishing would be the only difference; the funding from permit center revenues would have to be repaid if a different use was selected.

Councilmember Matarrese inquired whether using said funding would require that the building be used as the Community Arts/Planning and Building Center.

The City Manager responded the assumption is that the permit center funds would be used for the Community Arts/Planning and Building Center to go forward because the funds have been collected related to Planning and Building services; the proposal was to use the funds to get more detailed cost estimates and come back with a financing plan based on the cost estimates.

Councilmember deHaan inquired how much money is in the permit center fund, to which Vice Mayor Tam responded \$1.089 million.

Councilmember deHaan stated almost half of the funding would be used for design; the building would have to be used for Planning and Building services or the funds would have to be paid back; that he wants firm financial information before moving forward.

The Planning and Building Director stated if the Planning and Building Permit Center does not move forward, the funds could be reimbursed when an alternate use comes forward with funding.

On the call for the question, the motion carried by the following voice vote: Ayes: Councilmembers Gilmore, Tam and Mayor Johnson - 3. Noes: Councilmembers deHaan and Matarrese - 2.

ORAL COMMUNICATIONS, NON-AGENDA (Public Comment)

(07-553) Musiy Rishin, Alameda, submitted handout; requested a waiver on a parking ticket delinquent fee.

Mayor Johnson requested staff to work with Mr. Rishin on the matter; stated courts allow individuals to perform community service in order to reduce fines.

(07-554) Jason Ross, submitted handout; discussed foreclosures.

(07-555) Diana Wong urged Council to petition Congress to freeze foreclosures.

(07-556) Joelle Wright, Larouche Political Action Commission, discussed foreclosures and the banking crises; urged Council to reflect on families who could be losing their homes this holiday season.

COUNCIL COMMUNICATIONS

(07-557) Vice Mayor Tam stated that she attended the League of California East Bay Division Meeting on November 15; stated that Alameda is one of the two cities where home appreciation values went up; the median price for a home in Alameda is approximately \$725,000; 80% to 85% of loans in Alameda are conventional loans; the foreclosures within the City have been steady; the volume of transactions has declined.

Councilmember Matarrese inquired whether the League presentation could be provided in writing.

Mayor Johnson suggested a written report be requested.

(07-558) Councilmember deHaan stated there were concerns on the future direction on the Carnegie Library with regard to centralizing the City's operation; he would like to place the matter on an agenda

Mayor Johnson stated that an analysis of other facilities is a good idea.

Councilmember Gilmore stated that she thought she heard that the

information would be provided as part of a facilities master plan.

The Assistant City Manager stated said plan is extensive and would not be ready for nine months or so; staff could work on a smaller version of the plan.

Councilmember deHaan stated the primary focus is to centralize operations and downsize the footprint at Alameda Point.

The Assistant City Manager stated staff could review the matter to see what it would take to relocate the uses in Building One at Alameda Point.

Councilmember Gilmore suggested that the matter be placed on an agenda for further discussion.

(07-559) Councilmember deHaan stated he would like to have the issue of placing liquor and smoking ads within certain distance of schools brought to Council for discussion.

The City Attorney stated that the legal opinion states that Council has no control over the matter.

ADJOURNMENT - City Council

There being no further business, Mayor Johnson adjourned the Regular Meeting at 11:10 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown Act.

MINUTES OF THE SPECIAL CITY COUNCIL MEETING
TUESDAY- -NOVEMBER 20, 2007- -7:00 P.M.

Mayor Johnson convened the Special Meeting at 7:15 p.m.

ROLL CALL - Present: Councilmembers deHaan, Gilmore,
Matarrese, Tam, and Mayor Johnson - 5.

Absent: None.

The Special Meeting was adjourned to Closed Session to consider:

(07-541) Conference with Legal Counsel - Existing Litigation; Name
of case: Chow v. City of Alameda, et al.

Following the Closed Session, the Special Meeting was reconvened
and Mayor Johnson announced that Council received a briefing on the
status of the litigation and gave direction to Legal Counsel to
defend the City.

Adjournment

There being no further business, Mayor Johnson adjourned the
Special Meeting at 7:20 p.m.

Respectfully submitted,

Lara Weisiger
City Clerk

The agenda for this meeting was posted in accordance with the Brown
Act.

MINUTES OF THE SPECIAL COMMUNITY IMPROVEMENT COMMISSION MEETING
TUESDAY- -NOVEMBER 20, 2007- -7:25 P.M.

Chair Johnson convened the Special Meeting at 7:37 p.m. Commissioner Gilmore led the Pledge of Allegiance.

ROLL CALL - Present: Commissioners deHaan, Gilmore, Matarrese, Tam, and Chair Johnson - 5.

Absent: None.

SPECIAL ORDERS OF THE DAY

(07-048) Update on the Alameda Theater, Cineplex, and Parking Structure Project.

The Redevelopment Manager gave a brief presentation.

Commissioner Tam stated that BikeLink elockers are a wonderful asset; BikeLink cards are \$20; rates are three to five cents per hour; inquired how long it would take to use up the \$20 card.

The Redevelopment Manager responded usage would determine how long the card would last; stated BikeLink is a non-profit organization; the \$20 card helps cover administrative costs and provides upfront money for services.

Trish Spencer, Alameda Parent Teacher Association Council President, stated that she did not know about the winebar at the Theater; the winebar changes the type of theater being offered; Burgermister will have a full liquor license; the high school has an open campus; Alcohol Beverage Control (ABC) has regulations regarding establishments that have liquor licenses within 600 feet of a high school; the issue should have been shared with the community; there should be disclosure if the mezzanine provides alcohol.

Leo Baldaramos, Alameda, read an email that he sent to the School Board President regarding the winebar at the Theater; stated he is concerned about the distance [of the winebar] from the school.

MINUTES

(07-049) Minutes of the Special Joint City Council and Community Improvement Commission Meeting held on November 6, 2007. Approved.

Commissioner deHaan moved approval of the minutes.

Commissioner Matarrese seconded the motion, which carried by unanimous voice vote - 5.

AGENDA ITEMS

None.

ADJOURNMENT

There being no further business, Chair Johnson adjourned the Special Meeting at 7:52 p.m.

Respectfully submitted,

Lara Weisiger
Secretary

The agenda for this meeting was posted in accordance with the Brown Act.